

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

John Rogne,

Civil Action No. 24-cv-2612-KMM-TNL

Plaintiff,

v.

Digital Forensics Corp.,

Defendant

**PLAINTIFF’S RESPONSE TO COUNSEL FOR DEFENDANT’S MOTION TO
WITHDRAW AS COUNSEL WITHOUT SUBSTITUTION**

Plaintiff, John Rogne (“Plaintiff”), respectfully submits this Response to Counsel for Defendant’s Motion to Withdraw as Counsel without Substitution. (*Dkt. #25*). Plaintiff raises the following concerns to the Court’s attention to be discussed more fully at the hearing. First, if Counsel is allowed to withdraw, Defendant will be without representation in this action. It is unclear whether Defendant knows it cannot represent itself or if Digital Forensics Corporation has made alternative arrangements with new counsel. It would appear not since there has been no substitution filed. Secondly, the Defendant’s In-House Counsel, Jeromy Simonovic, Esq., has recently sent email settlement communications directly to the Plaintiff’s counsel. These communications, which can be more fully discussed at the hearing, raise questions that the undersigned has tried to raise with opposing counsel that have not been responded to as of the date of this filing. The Plaintiff’s counsel is unsure how to proceed with negotiations and believes a settlement conference now would be the proper setting to attempt to resolve all issues.

For the foregoing reasons, Plaintiff respectfully requests that the Court deny the Defense Counsel's Motion and order the parties to a settlement conference.

Dated this 7th day of February 2025.

Respectfully submitted,

/s/ Thomas J Lyons Jr

Thomas J. Lyons, Jr., Esq.

Attorney I.D. #: 249646

Carter B. Lyons, Esq.

Attorney I.D. #: 0403655

CONSUMER JUSTICE CENTER, P.A.

367 Commerce Court

Vadnais Heights, MN 55127

Telephone: (651) 770-9707

Facsimile: (651) 704-0907

tommy@consumerjusticecenter.com

carter@consumerjusticecenter.com

ATTORNEYS FOR PLAINTIFF